

REMARKS

Careful consideration has been given to the Official Action of June 29, 2006, and it is requested that the Examiner reconsider the rejection of the claims based on the arguments given hereinbelow.

Claim Rejection

Claims 1 and 3-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kingston in view of Japanese Patent 9-114406.

Arguments

In the response filed on April 6, 2006, applicant had pointed out that the molds of the present invention are flat, whereas each mold of Kingston has a recess on its surface. The flat molds of the invention facilitates the arrangement of the pipes and the conductance of heat/cold more uniform and rapid. However, each mode of Kingston makes it hard to arrange the pipes therein and difficult to conduct heat/ cold uniformly and quickly since it has a recess on its surface.

Applicant also respectfully point out that a critical factor in making an obviousness determination is "motivation". However, the examiner has provided no motivation why one of ordinary skill in the art would have modified the recess-like molds of Kingston for lens production in flat molds of the invention for LCD production. It is non-obvious as well for a person having ordinary skill in the art to enlarge the upper mold and mount a plurality of cooling pipes in it, and to enlarge the lower mold and dispose a plurality of heaters in Kingston.

Applicant has studied the Japanese disclosure of the '406 reference. Whether the abstract is vague or not, the '406 reference states that the acrylic resin plate (7) is pressurized by applying the pressure and time to the extent of averting the occurrence of a brittle fracture within the environment of ordinary temp(see col. 7, lines 29-37). Accordingly, the '406 reference

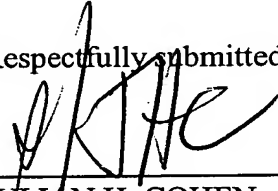
doesn't suggest changing the temperature of the optical element during the production process. This means that there are not any cooling pipes mounted in the upper mold nor any heaters in the lower mold. Obviously '406 reference teaches away from the present invention.

It is always incumbent upon the Examiner to find a reference to support a rejection. For this reason, the Examiner should be bound to the reference cited by him and provide evidence to support a rejection. However, the Examiner has admitted that the abstract of the '406 reference is vague. According to "Formulating and Communicating Rejections Under 35 U.S.C. For Application", the Examiner has to factually support any prima facie conclusion of obviousness. If the Examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of non-obviousness.

Summary

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's undersigned attorney be contacted at the telephone number listed below.

Respectfully submitted,



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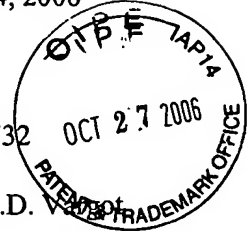
IN RE: Pang-Lun YANG

SERIAL NO.: 10/716,068

GROUP NO.: 1732

FILED: November 18, 2003

EXAMINER: M.D.



FOR: PROCESSING FOR PATTERNING AN OPTICAL ELEMENT

AMENDMENT OR RESPONSE AFTER FINAL REJECTION-TRANSMITTAL:
AMENDMENT OR RESPONSE TO THE OFFICE ACTION OF JUNE 29, 2006: \$120.00
(FEE FOR ONE (1) MONTH EXTENSION OF TIME) (CHECK ENCLOSED).

FILED _____

JHC/cy